

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 SYAH L. REDBIRD,

4 Plaintiff

5 v.

6 BRIAN WILLIAMS, *et al.*,

7 Defendants.

Case No. 2:20-cv-00435-JAD-EJY

**ORDER**

8  
9 **I. DISCUSSION**

10 Plaintiff is an inmate in the custody of the Nevada Department of Corrections (“NDOC”) who has submitted a civil rights complaint under 42 U.S.C. § 1983. ECF No. 1-1. Plaintiff has  
11 neither paid the full filing fee for this matter nor filed an application to proceed *in forma pauperis*.  
12 Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to  
13 proceed *in forma pauperis* and attach both an inmate account statement for the past six months and  
14 a properly executed financial certificate in order to potentially be excused from paying the filing fee  
15 associated with commencing a civil case in federal court. Therefore, the Court will retain Plaintiff’s  
16 civil rights complaint (ECF No. 1-1), but will not file it until the issue of the payment of the filing  
17 fee is resolved.  
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19 Plaintiff is granted an opportunity to file an application to proceed *in forma pauperis*, or in  
20 the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to  
21 proceed *in forma pauperis*, he must file a fully complete application to proceed *in forma pauperis*,  
22 including both an inmate account statement for the past six months and a properly executed financial  
23 certificate.

24 **II. CONCLUSION**

25 For the foregoing reasons, IT IS HEREBY ORDERED that the Clerk of the Court shall  
26 SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well  
27 as the document entitled information and instructions for filing an *in forma pauperis* application.  
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1 IT IS FURTHER ORDERED that within **sixty (60) days** from the date of this Order, Plaintiff  
2 must either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form  
3 with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400  
4 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

5 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this Order,  
6 dismissal of this action may result.

7 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF No.  
8 1-1) but will not file it at this time.

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10 DATED: March 10, 2020

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12 ELAYNA J. YOUCHAK  
13 UNITED STATES MAGISTRATE JUDGE  
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